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Apple Inc.*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

BRADY MARK ABBOTT,

Plaintiff,

vs.

APPLE, INC.,

Defendant.

Case No. 2:22-cv-00423-RFB-BNW

**STIPULATION AND ORDER TO STAY
DISCOVERY
(FIRST REQUEST)**

Plaintiff Brady Mark Abbott (“Plaintiff”) and Defendant Apple Inc. (“Defendant”), by and through their respective counsel of record, hereby stipulate and agree as follows:

1. Plaintiff initiated this action on March 7, 2022. ECF No. 1. The Complaint did not label causes of action.
2. Defendant filed its Motion to Dismiss Plaintiff’s Complaint on June 10, 2022. ECF No. 8.
3. Plaintiff opposed the Motion to Dismiss and requested leave to amend the Complaint on July 26, 2022. ECF No. 21. Defendant filed a Reply in support of its Motion to Dismiss, which included an opposition to Plaintiff’s request to amend the Complaint, on August 9, 2022. ECF No. 24.
4. The Motion to Dismiss and request to amend are currently pending before the Court.

1 5. Given the contents of the operative Complaint (which does not label a claim), the
2 parties cannot effectively begin discovery absent Court orders on the pending Motion to Dismiss
3 (ECF No. 8) and the pending request to amend the Complaint (ECF No. 21).

4 6. Accordingly, to conserve the time and resources of the parties, the parties request
5 the Court stay discovery pending a decision on Defendant's Motion to Dismiss (ECF No. 8) and
6 Plaintiff's request to amend the Complaint (ECF No. 21).

7 7. If the Court grants this stipulation, the Parties agree that Defendant's Motion to
8 Stay Discovery Pending Decision on Motion to Dismiss (ECF No. 25) shall be denied as moot.

9 8. This request is made in good faith and not for the purpose of delay.

10 Dated this 24th day of October, 2022.

11 HOLMAN LAW OFFICE

JACKSON LEWIS P.C.

12 /s/ Kristina Holman

/s/ Hilary A. Williams

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15 *Attorneys for Plaintiff*

Attorneys for Defendant

16
17 **ORDER**

18 IT IS ORDERED that ECF No. 27 is GRANTED.

19 IT IS FURTHER ORDERED that ECF No. 25
20 Defendant's Motion to Stay Discovery is DENIED as
moot.

21 IT IS SO ORDERED

DATED: 4:29 pm, November 04, 2022

22 

23 BREND A WEKSLER
UNITED STATES MAGISTRATE JUDGE